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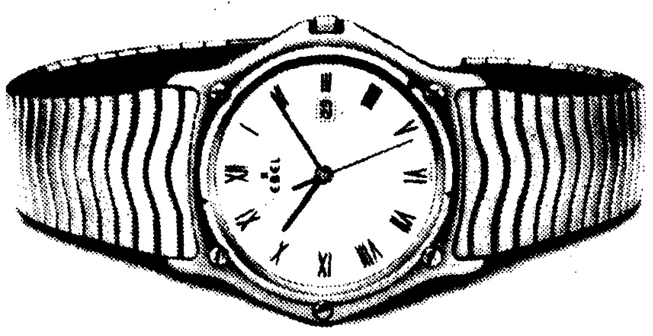

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Charge

Continued From Page 1A

Saltysiak, 37, manager of the Pink House Restaurant and Tavern, **was** shot in the head as he walked on Bryan Street at **Abercorn** Street with Cheryl Joiner from Faces II Lounge to the Pink House.

Chief Assistant District Attorney David Lock told jurors during **closing** arguments Wednesday that Green **"knew** what was going on from the **beginning"** on July 4 and should be convicted as a party to the crime.

"If you are a party to a crime, **you're** just as guilty as the principal," Lock said. **"You don't** have to **find** this defendant pulled the trigger to **find** him guilty of **murder**."

But, defense attorney Bobby Phillips argued, Green was a **"13-year-old** child" who was the victim of "suggestions" by police and witnesses.

Green was frightened by the occurrences on Bryan and **Abercorn** streets, but his "mere presence" at the scene does not make him guilty, Phillips said. Green is also **being** tried in the armed robbery of Mark LeMay at Drayton and Bay streets behind Factors Walk about 12 minutes before the Saltysiak slaying.

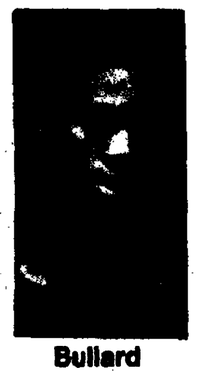
Green is the youngest person to be tried in Chatham Superior Court during District Attorney Spencer **Lawton's** 10 years in office. Juvenile and Superior courts share jurisdiction in capital cases beginning at age 13, and because of the nature of the Saltysiak **case**, prosecutors elected to try Green and Gardner as adults.

In his statement to police, Green

Lock

Phillipa

Lott



Bullard

said he and Gardner pulled guns on Saltysiak and told him to give them his money. Saltysiak grabbed Green, choking him, Green told **police**.

"Joseph took the gun from me," Green told police. "Click, click, click, boom. He (Saltysiak) hit the ground **so** we **ran**."

Green said he had a **.22-caliber** pistol, but evidence shows Saltysiak was shot and killed with a **.38-caliber** revolver. Neither weapon was recovered.

In a written statement to police **immediately** after the oral **statement**, Green said, **"Joseph** said shoot him. I would not shoot him. Joseph took the gun, then, click, click, click, boom."

A youth who was with Green and Gardner on July 4 told jurors Wednesday that Gardner admitted fatally shooting Saltysiak after the victim grabbed Green during a **robbery** attempt.

Green "told the **'cracker'** to give it up," said **Jawanza Bullard**, 17, a ninth-grader at Groves High School.

Bullard said he had earlier driven to River Street with Green, Gardner and several friends. He said he saw Green and Gardner after the slaying.

"We asked them did they **kill him,"** Bullard said. "They said, **'Yeah.'"**

Bullard said Gardner told him the **.38-caliber** special he used to shoot Saltysiak was thrown into **some bushes**.

When Bullard saw the two later that night, Gardner had a ring and Green had a necklace, both of which had been taken in the earlier **robbery** of LeMay.

Bullard testified that Green and Gardner told a group of their friends earlier that night they were going to **"jack** some crackers," **meaning** robbery.

But another **witness, 38-year-old** John Hardy, testified he was in the area July 4 and saw Green, whom he identified as the "short one" of the two, shoot Saltysiak with a pistol.

"I saw the short one approach the white guy and put a gun to his stomach, and then when he **(the** victim) **wouldn't** give it to him, he put it (a gun) to **his** head and shot **him,"** Hardy said.

On **cross-examination**, Hardy **became** incensed and said he did not want to be in the courtroom "in the first **place**."

"I am about to get up and walk out," Hardy told Mikell. "Right now, I **don't** care to discuss this thing no **more**."

Mikell **then** dismissed **Hardy**.

Dennis Lott, who passed through the area during the shooting of **Saltysiak**, told jurors he heard a commotion and a loud voice say, "You may as **well go** ahead and shoot me because I'm not giving you **nothing**."

That response was followed by a gunshot. Two young men, who Lott said were "running like **rabbits,"** passed **him**.

Lott's testimony differed from that **given** Tuesday by Ms. Joiner, who said Saltysiak did not resist his assailants. Lott's **recollection** matched the statements Green gave to police July 11.

Track

Continued From Page 1A

should never have been tried in adult court.

"It **was behind-the-scenes** politics that were dictated **by** the **enough-is-enough** philosophy," he **said**.

Cutter also resented the media presentation of a jocular Johnnie as he left police headquarters after **being arrested**.

"Someone had just told him a joke, and that's why he was smiling," Cutter said.

Johnnie's mother, Harriet Green, 31, sat up front during the trial and made notes in a green, spiral notebook. When Savannah police Detective Aaron **Quarterman** read Johnnie's statement - which was given several months ago in his mother's presence – she followed along with her own copy.

In the statement, Johnnie - who admitted carrying a **.22-caliber** pistol the night of the shooting - said he was hesitant to repeat a curse word because his mother was in the same **room**.

Yvette Gardner is the mother of Joseph Gardner Jr., who also has been charged in the July 4 slaying of John Saltysiak. Joseph **will** be tried in a separate trial.

Sitting on the other side of the courtroom, Ms. Gardner described her son, who is 15, as "cheerful, likeable and happy go lucky."

He was also someone hanging out with the wrong crowd, she said.

When John Hardy testified Wednesday that he saw Johnnie, "the short one of the two," pull the **trigger**, Ms. Gardner cried out, "Thank you, **Jesus**."

And when Hardy said he could clearly identify **Johnnie** under the street light, Ms. Gardner **clenched** her hands, shook her head and said, "Yes, yes, yes," and left the courtroom.

Cheryl Joiner, the woman with Saltysiak the night he **was** killed, said she thinks about the July 4 murder almost every day.

That and the age of the two **people** charged with murder.

"They're just children," she said during a court recess. "I can't understand how two children can think like **that**."

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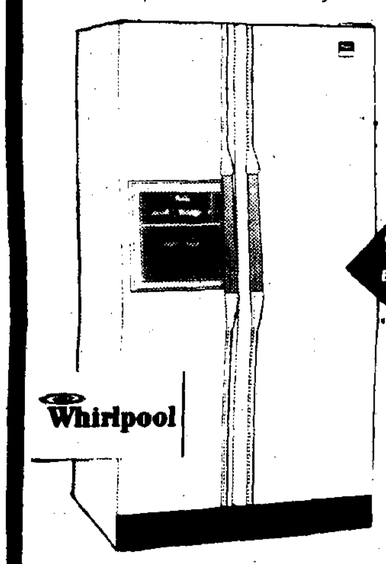

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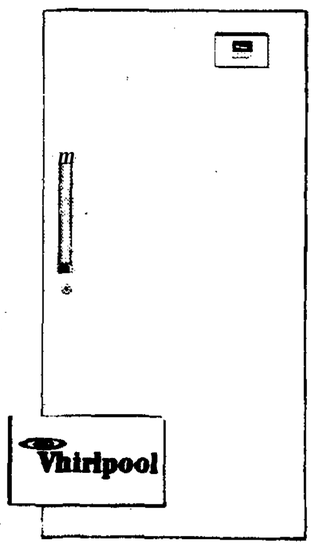

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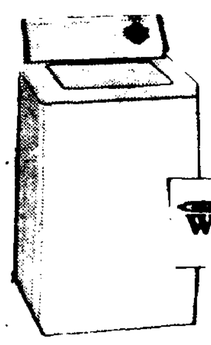

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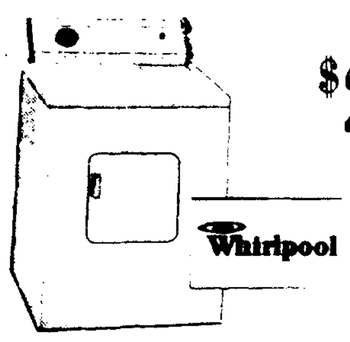

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